

IN THE MATTER OF  
FLORENCE MACAULEY  
P.T.A.  
License No. A3193

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BEFORE THE  
MARYLAND BOARD  
OF PHYSICAL THERAPY  
EXAMINERS

\* \* \* \* \*

**PRE-CHARGE CONSENT ORDER**

**Background**

The Maryland Board of Physical Therapy Examiners (the "Board") conducted a random continuing education audit of Florence Macauley, P.T.A. (the "Respondent"), after she renewed her license on May 31, 2011. The Respondent initially failed to respond to the continuing education audit. When the Respondent did respond, she could only provide documentation of a portion of the continuing education credits required of her.

In lieu of instituting formal proceedings against the Respondent, in accordance with the Maryland Physical Therapy Act, Md. Code Ann., Health Occ. § 13-101 *et seq.*, the Board held a telephonic Pre-Charge Case Resolution Conference with the Respondent on November 22, 2011. As a result, the Board and the Respondent have agreed to resolve this matter as set forth in this Consent Order.

**FINDINGS OF FACT**

1. At all times relevant hereto, the Respondent possessed a license to practice as a physical therapy assistant in Maryland, License No. A3193.

2. After she renewed her license on May 31, 2011, the Board randomly selected the Respondent for a continuing education audit in accordance with Board regulations, COMAR 10.38.08.06.
3. The Respondent initially failed to respond to the continuing education audit. As a result, the Board scheduled a telephonic Pre-Charge Case Resolution Conference with the Respondent on November 22, 2011.
4. On November 21, 2011, the Respondent submitted to the Board documentation that she completed eleven (11) continuing education contact hours within the renewal period – nine (9) contact hours short of the twenty (20) required of her pursuant to Board regulations, COMAR 10.38.08.05(E).
5. On November 22, 2011, following the Pre-Charge Case Resolution Conference, the Respondent submitted documentation that she completed the remaining nine (9) continuing education contact hours required of her, albeit outside the renewal period.

#### CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent is subject to disciplinary action in accordance with Md. Code Ann., Health Occ. §§13-316(15) and 13-407.1, and COMAR 10.38.08.

#### ORDER

Based on an affirmative vote of a majority of the Board, it is this 21<sup>st</sup> day of February, 2012, hereby:

**ORDERED** that Florence Macauley, License No. A3193, shall pay a fine in the amount of \$500, payable to the Maryland Board of Physical Therapy Examiners within ~~thirty (30) days~~ <sup>six (6) months</sup> of the date of this Order; and be it further,

512 (6) MONTHS *sl*

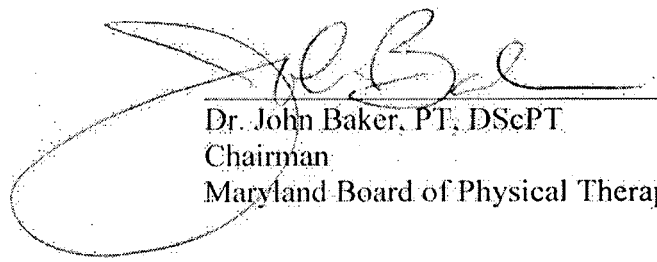
**ORDERED** that failure to pay in full the above fine within ~~thirty (30) days~~ of the date of this Order shall be considered a violation of this Order, and after notice and opportunity for a show cause hearing shall subject the Respondent to further discipline such as suspension, revocation or further fines based on the violations cited in this Order; and be it further,

**ORDERED** that the Respondent shall submit to the Board documentation that she completed the nine (9) remaining continuing education contact hours, a condition she completed November 22, 2011; and be it further,

**ORDERED** that the continuing education completed by the Respondent in accordance with this Consent Order shall not count toward her next renewal; and be it further,

**ORDERED** that this is a formal order of the Maryland Board of Physical Therapy Examiners and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617 (h).

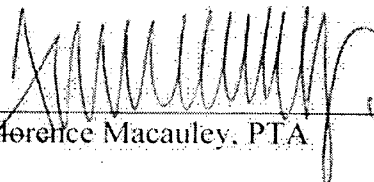
02/21/12  
Date

  
Dr. John Baker, PT, DScPT  
Chairman  
Maryland Board of Physical Therapy Examiners

CONSENT

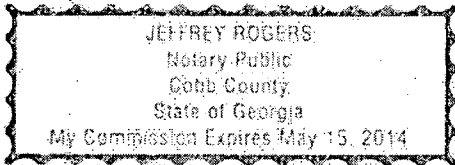
1. By signing this Consent, the Respondent submits to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded the Respondent the right to a full evidentiary hearing. The Respondent consents and submits to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which the Respondent would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on her behalf, and to all other substantive and procedural protections provided by law.
2. By signing this Consent, the Respondent waives any rights she may have had to contest the findings and determinations contained in this Consent Order.
3. The Respondent acknowledges the legal authority and the jurisdiction of the Board to enter into and enforce this Consent Order.
4. The Respondent signs this Consent Order freely and voluntarily and after having had the opportunity to consult with counsel. The Respondent fully understands the language, meaning, and effect of this Consent Order.


2/11/12  
Date \_\_\_\_\_

  
\_\_\_\_\_  
Florence Macauley, PTA

STATE OF GEORGIA  
COUNTY/CITY OF Atlanta :

I hereby certify that on this 11<sup>th</sup> day of February, 2012,  
before me, a Notary Public of the State of Georgia and County/city aforesaid personally  
appeared FLORENCE MACAULEY, and made an oath in due form that the foregoing  
Consent was her voluntary act and deed.



  
Notary Public  
My commission expires: 5-15-2014